

GOODWIN PROCTER

Annemarie Hassett  
212.459.7466  
ahassett@goodwinprocter.com

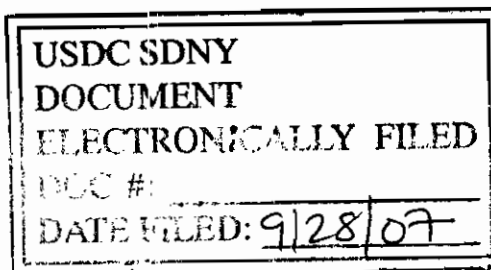
Goodwin Procter LLP  
Counsellors at Law  
599 Lexington Avenue  
New York, NY 10022  
T: 212.813.8800  
F: 212.355.3333

## MEMO ENDORSED

September 25, 2007

Via Fax (212-805-7906) and First Class Mail

The Honorable Denny Chin  
United States District Court Judge  
Southern District of New York  
500 Pearl Street, Room 1020  
New York, NY 10007



Re: **United States v. Anthony Kirkland**  
**06 Cr. 1150 (DC)**

Dear Judge Chin:

I am counsel for Anthony Kirkland. I write to request that the sentencing hearing for Mr. Kirkland, which is scheduled for October 15, 2007, at 4:30 PM, be continued until November 7, 2007, or as soon thereafter as is convenient for the Court. The United States Attorney's Office ("USAO"), by and through Assistant United States Attorney Alex Willscher, has assented to Mr. Kirkland's request to continue the date for the sentencing hearing.

The reasons for this request are twofold. First, based on his Criminal History Category in the draft Presentence Report, Mr. Kirkland could benefit from the United States Sentencing Guidelines relief from the statutory mandatory minimum sentence. For that reason, Mr. Kirkland has determined to make a safety valve guideline proffer to the USAO, and a meeting for that purpose has been scheduled for early October. Second, in the event that Mr. Kirkland meets the criteria for relief from the statutory mandatory minimum, he may also benefit from a proposed reduction in the Sentencing Guidelines offense level for cocaine base should Congress vote to accept that recommendation made by the Sentencing Commission. If approved by Congress, the reduction in the offense level would be take effect on November 1, 2007, and could apply to Mr. Kirkland if he is sentenced on or after that date.

Sincerely,

A handwritten signature in cursive script, appearing to read "Annemarie Hassett".

Annemarie Hassett

cc: AUSA Alexander Willscher, Esq. (by email and First Class Mail)  
USPO Robert Flemen (by email and First-Class Mail)  
Anthony Kirkland (by First Class Mail)

Adjourned to  
Nov. 20, 2007,  
at 2:00 P.m.

SO ORDERED,

A handwritten signature in cursive script, appearing to read "Denny Chin".

WPS  
9/27/07